

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**JESSICA FRYREAR**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO.: 4:22-CV-112-MPM-DAS**

**WASHINGTON COUNTY, MISSISSIPPI  
JARRELL EVANS AND CEDRICK ADAMS,  
in Their Individual Capacities for State Law  
Violations Only**

**DEFENDANTS**

**DEFENDANT WASHINGTON COUNTY, MISSISSIPPI'S  
MOTION FOR JUDGMENT ON THE PLEADINGS**

**COMES NOW**, Defendant, Washington County, Mississippi, by and through counsel, respectfully files this its Motion for Judgment on the Pleadings and would show unto the Court the following:

1. Plaintiff, Jessica Fryrear's, Complaint against Washington County fails. It fails because there was probable cause to arrest and prosecute Jessica Fryrear solely on the word of her alleged co-conspirator, April Miller.
2. It also fails because Fryrear has not pleaded the necessary factual allegations to maintain a claim against the County.
3. It further fails because Fryrear cannot attempt to circumvent the fact that the County cannot be held vicariously liable for the actions of its employees by pleading that the Sheriff delegated final decision-making authority over this one (1) investigation to Defendants Evans and Adams.
4. Because of all this, this Court should dismiss this Complaint against Washington

County.

**BRIEFING:** As required by our local rules, an appropriate memorandum of supporting authority is being filed herewith.

**NOW, THEREFORE,** Defendant, Washington County, Mississippi respectfully prays the Court dismiss all claims made by Plaintiff in her Complaint.

**RESPECTFULLY SUBMITTED** this the 25<sup>th</sup> day of October, 2022.

**JACKS GRIFFITH LUCIANO, P.A.**

By: /s/ **Bethany A. Tarpley**

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**CERTIFICATE OF SERVICE**

I, Bethany A. Tarpley, attorney of record for Defendant, Washington County, Mississippi, do hereby certify that I have this day caused a true and correct copy of the above and foregoing *Defendant Washington County, Mississippi's Motion for Judgment on the Pleadings* to be delivered by the ECF Filing System which gave notice to the following:

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**DATED** this 25<sup>th</sup> day of October, 2022.

/s/ **Bethany A. Tarpley**  
Bethany A. Tarpley